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C O N F I D E N T I A L SECTION 01 OF 03 ANKARA 003410

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DEPARTMENT FOR EUR/SE

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [TU](#)

SUBJECT: OPPOSITION FROM TURKEY'S NSC SHARPENS CONFLICT
OVER EU-RELATED REFORM

REF: A. ANKARA 2909

[B](#). ANKARA 2998

[C](#). ANKARA 1624

[D](#). ANKARA 1636

[E](#). ANKARA 1303

[F](#). ANKARA 1423

[G](#). ANKARA 728

[H](#). 02 ANKARA 8564

[I](#). ANKARA 2521

(U) Classified by Ambassador W.R. Pearson; reasons 1.5 (b and d).

[1](#). (C) Summary: GOT leaders continue to support passage of a series of reform packages to harmonize Turkey's practices with EU membership criteria. TGS chief Ozkok and his deputy Buyukanit also formally support Turkey's EU candidacy. At the same time the military-dominated National Security Council (NSC) is striving to dilute the GOT's latest EU-related reform package, which the NSC asserts could undermine security. The debate reflects the larger struggle between the generally pro-reform elected civilian leadership, and retrograde elements of the military and bureaucracy who see human rights reform and EU membership as a threat to the unity and "secular" nature of the State -- and above all to their dominance over the Turkish State system. As the conflict sharpens, even our most cautious contacts are beginning to openly discuss the sensitive issue of internal resistance to reform. The ruling AK party's handling of this conflict will determine whether the GOT can satisfy Turkey skeptics in the EU who question its ability to implement the legislative reforms required for EU membership. End summary.

NSC-GOT Tangle Over Package

[2](#). (C) Public debate about the GOT's latest EU-related draft reform package (ref A) has intensified with press reports of efforts by four-star NSC Secretary General Kilinc to have key elements of the package withdrawn or revised. Kilinc reportedly sent a letter to GOT officials objecting to proposed reforms that would: 1) abolish Article 8 of the Anti-Terror Law; 2) allow foreign observers during Turkish elections; and 3) allow Kurdish-language broadcasting on private TV and radio stations. Justice Minister Cicek and ruling AK Party deputy chairman for policy Firat took the rare step of publicly criticizing a senior military figure and lambasted Kilinc; Cicek rejected Kilinc's argument that the reforms would threaten security, while Firat asserted that Kilinc "has no authority" to issue such warnings. The owner-CEO of a major media conglomerate put it more bluntly in a private meeting with us: Kilinc, he observed, is mounting an all-out effort to sabotage the package and the wider reform effort, which most of the Turkish General Staff (TGS) fears will eventually end its dominance over the Turkish State and society. In a May 21 meeting with Ambassador, Cicek said the GOT would continue to support Kurdish language reforms. Differences over the package will likely be debated at the May 28 NSC meeting before the legislation is introduced in Parliament.

Package Dispute Part of Larger Conflict

[3](#). (C) The dispute over the new package reflects a broader GOT conflict (ref A) between supporters and opponents of human rights reform and EU membership. EU membership has long been championed by pro-reform diplomats serving in the MFA Human Rights and EU departments as well as in the EU Secretariat, a separate GOT agency established to support the

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EU membership drive. Our contacts in these offices say they

have prepared extensive reform legislation designed to meet all EU membership criteria. They say they pull together elements of these drafts to create reform packages when they sense the political will to adopt certain reforms. The reform process got a boost when AK came to power in the November 2002 elections and focused on EU membership as its immediate priority. Asligul Ugdul, EU Secretariat director for political affairs, told us the two reform packages adopted by Parliament in January comprised measures the previous GOT was not willing to support. At that time, Ugdul and other EU-membership advocates were optimistic, figuring AK would use its parliamentary majority to quickly advance reform.

14. (C) In the face of support for EU-related reforms by AK's leaders, and the formal support for EU candidacy by TGS chief Ozkok and his deputy Buyukanit (whom we expect to deliver a pro-EU membership speech at a TGS-sponsored globalization conference the week of May 26 in Istanbul) hard-line elements in the military, judiciary, and offices dealing with religion, broadcasting, and education continue to try to undermine the content and implementation of reform packages. At the same time, opponents of EU-related reforms generally keep a low profile, unwilling to openly oppose changes that are overwhelmingly backed by the public. As a staff advisor to the parliamentary Human Rights Committee put it to us, "When your enemy faces you, you can fight him, but it's difficult to fight an enemy that pretends to be on your side."

15. (C) Ersonmez Yarbay, an AK Party and Human Rights Committee member, told us reform opponents are forced for tactical reasons to feign rhetorical support for EU membership because they have no foreign policy alternative to put forward; Turkey is not economically strong enough to stand on its own, and Turkey's southern and eastern neighbors present no viable alternative to the EU. Yarbay said many reform opponents genuinely fear that fully meeting EU membership criteria, particularly in areas such as religious freedom and Kurdish cultural rights, will threaten the foundations of the "secular", centralized Turkish State -- and the stature of the institutions to which the reform opponents belong. Their strategy for the time being, he said, is to buy time by insisting that the EU must accept Turkey under special conditions, owing to Turkey's unique geography and history. Yarbay fears this "haggling" will cause Turkey to miss the EU train. If the GOT allows the hard-liners to dictate its EU membership strategy, it will repeat the mistake it made when it voted down the resolution to allow U.S. troops to transit Turkey into northern Iraq, he said.

16. (C) Indeed, frustration over reform resistance has reached the point where even our normally hyper-cautious MFA contacts are beginning to discuss it openly -- MFA DDG for EU Affairs Selim Yenel recently conceded that the Turkish bureaucracy was one of the biggest obstacles to EU membership.

Military, Kemalist Bureaucrats Fear Reform

17. (C) And exactly who are the opponents of reform? MPs, human rights advocates across the spectrum, and the press point to elements of the military as a major source of opposition. Our contacts attribute opposition among some military officers to fear that EU membership criteria require Turkey to reduce the military's political influence. Our contacts also blame Kemalists who hold key offices in the bureaucracy, many of whom were appointed by the Nationalist Movement Party (MHP) when it was in government. Key among these are public prosecutors, who, in the Turkish system, have broad powers to indict "suspicious" individuals or groups based on anything they deem "evidence." Some observers, like Human Rights Foundation President Yavuz Onen, think AK itself is divided. Onen told us he believes the more Islamist wing of AK opposes reforms related to Kurdish identity because it fears the rise of Kurdish politics as a threat to Islamist politics. (Note: AK's ethnically Kurdish Islamists as a rule are strong supporters of radical pro-Kurdish reforms. They, and the more Turkish nationalist elements in AK, agree that by undercutting the military's political power, the reform process is key to AK's survival as a party -- and perhaps in government as well. End note.) Leading columnist and chief editor of center-left "Radikal" Ismet Berkan has also reported that P.M. Erdogan has issued instructions that the bureaucracy go slow on consideration of property claims from minority religions (i.e., Christian and Jewish foundations).

Opponents Gnawing Away at EU Candidacy

17. (C) The fall-out from Kilinc's latest salvo, and other recent anti-reform steps enumerated below have undermined Turkey's image in EU capitals:

-- an Ankara State Security Court prosecutor May 6 led police on another in a continuing series of fishing-expedition raids of the Human Rights Association's Ankara offices (reftel B);

-- contacts and the press continue to report that parents who wish to give their children "unapproved" (i.e., Kurdish) names are being thwarted (the new package would remove the prohibition on such names);

-- Turkey's highest court announced the closure of the pro-Kurdish HADEP party March 13, the same day a chief prosecutor opened a case to close a sister party, DEHAP (reftel C);

-- Jandarma officials prevented lawyers and relatives from visiting jailed PKK leader Abdullah Ocalan for 15 weeks ending in March (reftels D-E);

-- prosecutors in October 2002 indicted five German pro-democracy foundations on spurious charges of separatism and espionage (reftel F), although the case was finally dismissed in March;

-- although Parliament in August 2002 adopted legislative reforms allowing Kurdish language broadcasts and courses, the bureaucracy has drafted highly restrictive implementing regulations preventing establishment of any such courses or broadcasts (reftels G-H);

-- the Turkish Establishment continues to promote inflexibility on Cyprus;

-- the pro-military "Cumhuriyet" daily, well-connected to senior military, reported May 23 that TGS Chief Ozkok has endorsed Kilinc's views, implying that he did so to counter the increasingly intense public reporting and speculation on divisions within the military leadership (ref I);

-- "Cumhuriyet" also highlighted the growing discomfort of younger officers with the AK Party and government -- a report likely to resonate with Turks, who are familiar with the role junior officers traditionally have played in prompting their superiors to actively oppose civilian governments they find troubling (ref I).

Comment

18. (C) As the government seeks to meet EU membership criteria, human rights reforms begin to cut closer to the foundations of the Kemalist State. We are thus seeing heightened attempts to blunt and undermine reforms led by reactionaries in the armed forces, the bureaucracy and other bastions of Establishment propriety. For Turkey's critics in the EU, failure by AK's leaders to gain control of the reform process will provide fresh evidence of the GOT's inability to fully implement the reforms necessary for EU membership. P.M. Erdogan, FonMin Gul and others in ruling AK party are mindful of this danger to Turkey's candidacy from continued Establishment resistance and appear committed to persevere in their reform efforts, but their task is a difficult, step-by-step one.
PEARSON